## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

WANDA TUBBS,	)	
Plaintiff,	)	NO. 3:20-cv-00477
v.	)	JUDGE RICHARDSON
JEFF LONG, et al.,	)	
Defendants.	)	

## **ORDER**

Pending before the Court is a Motion to Dismiss filed by Defendants Jeff Long and the State of Tennessee ("State Defendants"). (Doc. No. 19, "State Defendants' Motion"). Also pending before the Court is a purported motion for judgment on the pleadings filed by Defendants Darryl Young, Brandon Gullett, Brandon King, and Cannon County, Tennessee ("County Defendants"). (Doc. No. 33, "County Defendants' Motion"). For the reasons discussed in the accompanying Memorandum Opinion, the Court **GRANTS** the State Defendants' Motion and **DENIES** the County Defendants' Motion.

More specifically, the State Defendants' Motion to Dismiss for lack of subject-matter jurisdiction under Fed. R. Civ. P. Rule 12(h)(3) is granted, and Plaintiff's Section 1983 claims (Counts I and II) are **DISMISSED without prejudice**. Accordingly, the County Defendants' Motion is denied as moot.

As Plaintiff's Counts I and II were the only causes of action over which the Court had original (federal-question) jurisdiction, and pursuant to 28 U.S.C. § 1367(c)(3), the Court declines to exercise supplemental jurisdiction over the remaining two (state-law) causes of action. Thus, those causes of action (Count III and IV) will be **DISMISSED without prejudice**.

This Order constitutes the final judgment in this case for purposes of Fed. R. Civ. P. 58. The Clerk is directed to close the file.

IT IS SO ORDERED.

ELI RICHARDSON

UNITED STATES DISTRICT JUDGE